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PATENT APPLICATION

ATTORNEY DOCKET NO. 10010538-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Xiao-An Zhang, et al.

Confirmation No.: 1230

Application No.: 09/823195

Examiner: C. Everhart

Filing Date: Mar. 29, 2001

Group Art Unit: 2825

Title: Bistable Molecular Mechanical Devices with a Band Gap Change Activated by an Electric Field for Electronic Switching, Gating, and Memory Applications

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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RESPONSIVE TO A DOUBLE PATENTING REJECTION

Sir:

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,763,158 to Hewlett-Packard Development Company, L.P. which issued on July 13, 2004 and is commonly owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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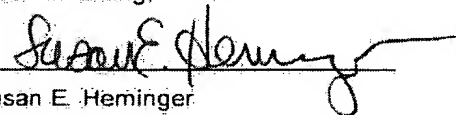
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Respectfully submitted,

Xiao-An Zhang, et al.

By



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Date: Feb. 7, 2005

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